

Attorney Docket No.: DEX-0188
Inventors: Roberto Macina
Serial No.: 09/806,301
Filing Date: July 27, 2001
Page 6

REMARKS

Claim 1 is pending in the instant application. The rejection of claim 1 has been maintained as the Examiner suggests that arguments and evidence presented in the last response are not commensurate in scope with claims drawn to detecting "any change" in ESBPII protein levels. Accordingly, in an earnest effort to advance the prosecution of this case, claim 1 has been amended to replace the term "change" with "increase". Claim 1 as amended is commensurate in scope with arguments and evidence presented in the response filed July 26, 2004 and teachings throughout the specification, e.g. page 9, line 29, through page 10, line 3.

Applicants have also added new dependent claims 11-24 drawn to specific embodiments set forth in claim 1.

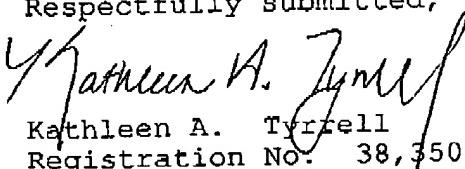
No new matter is added by these amendments and entry is respectfully requested.

Attorney Docket No.: **DEX-0188**
Inventors: **Roberto Macina**
Serial No.: **09/806,301**
Filing Date: **July 27, 2001**
Page 7

Conclusion

Applicant believes that the foregoing comprises a full and complete response to the Advisory Action of record. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,



Kathleen A. Tyrrell
Registration No. 38,350

Date: October 13, 2004

LICATA & TYRRELL P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515